

REMARKS

Claims 4-5 and 16 have been canceled without prejudice or disclaimer. Claims 1-3, 6-15, and 17-20 remain pending in the application. Applicant amends claims 1, 3, and 11 for further clarification. No new matter has been added.

Claims 1-3, 11-12, 14-15, and 19 were rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter.

Applicant respectfully submits that a recording medium is inherently non-transitory, but, nevertheless, amends base claims 1, 3, and 11 to more clearly recite "a non-transitory recording medium." Accordingly, Applicant requests that the Examiner withdraw the § 101 rejection.

Claims 1-3, 6-15, and 17-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,325,717 to Kawagoe et al. in view of U.S. Patent No. 6,377,264 to Iizuka et al. Applicant respectfully traverses the rejection.

The Examiner conceded that Kawagoe et al. fail to disclose the claimed direction maintenance features and relied upon Iizuka et al. as a combining reference that allegedly suggests these features. Page 4, line 9 et seq. of the Office Action.

In maintaining this rejection, the Examiner argued that Iizuka et al. suggest the claimed features in connection with translating an operation instruction between different viewing perspectives:

"Iizuka explains that maintaining the player's direction after switching cameras eliminates the need for the user to synchronize a change in input direction with the change in camera orientation. See Iizuka col.8 ll.50-56." Page 31, lines 17-19 of the Office Action.

But contrary to the Examiner's characterization, the cited portion of Iizuka et al. does not include any suggestions for maintaining an operation instruction. Instead, such portion—

and indeed, Iizuka et al., as a whole—only includes description of ignoring a user's input for a character's movement when the character is in particular areas:

"The present embodiment is characterized in that in a game controlling method in which the input direction with respect to the direction of line of sight is set as the moving direction of the player character, the player character is controlled so as to move in a *specific* direction *regardless of the change of the input direction with respect to the direction of line of sight when the player character stays within a specific area.*" Col. 8, lines 50-56 of Iizuka et al. (Emphasis added)

Notably, Iizuka et al. explicitly describe the character being moved in a specific direction, and not any direction corresponding to any previous input direction, etc. In other words, the above-quoted portion of Iizuka et al. explicitly describes completely ignoring ("regardless of") the input direction of a user "when the play character stays within a specific area." This interpretation is consistent with the embodiments described in Iizuka et al.

For example, Iizuka et al. describe a path information storage unit 1104 and a movement instructing direction obtaining unit 1105 that cooperate to internally generate a movement direction instruction in place of the input unit 2 of the user:

"Meanwhile, when it is judged that the player character is staying within a specific area, a standard point specifying unit 1102 specifies point (nearest point) information located nearest to the player character among information of range of points stored in a path information storage unit 1104 and sends it to a movement instructing direction obtaining unit 1105. The movement instructing direction obtaining unit 1105 obtains (*decides*) a movement instructing *direction* (indicated by a triangular arrow in the figure) given by the sent point data as shown in FIG. 12A and sends it to the position coordinate calculating unit 1001. The position coordinate calculating unit 1001 calculates the position coordinates of the player character based on the movement instructing direction sent from the movement instructing direction obtaining unit 1105 and the stroke sent from the stroke detecting unit 1001b. That is, it calculates the position coordinates of the player character assuming that the movement instructing direction *generated inside* as the input direction from the input unit 2." Col. 9, lines 29-47 of Iizuka et al. (Emphasis added)

Thus, Iizuka et al. only describe a movement instructing direction that is "generated inside"—using standard point specifying unit 1102, path information storage unit 1104, and movement instructing direction obtaining unit 1105—being assumed as the input direction. In other words, a direction of a player character is "generated inside" based on path information stored in advance such that the player character follows the generated direction whenever it is staying within a "specific area."

The Examiner separately cited col. 8, lines 45-49 and col. 10, lines 29-36 of Iizuka et al. as alleged suggestion of the claimed direction maintenance features. Page 5, lines 6-14 of the Office Action. But such portions of the reference also fail to provide the suggestion needed.

For example, col. 8, lines 45-49 of Iizuka et al., in context, only includes description of the problem of a user input changing into a different movement direction in relation to a line of sight when a player character enters, for example, a loop as illustrated in Fig. 7 of Iizuka et al.:

"When the player character passes through a course formed into a loop as shown in FIG. 7 for example, the directions of line of sight (directions of broken line) at the respective points of time A, Band C change as shown in FIG. 8, so the input direction must be changed with respect to the direction of line of sight in order to fix the direction in which the player character is to move.

Further, when the input direction of the directional key is fixed, the direction in which the player character is to move changes in a game picture presented while moving the virtual cameras (line of sight) as shown in FIG. 9.

The present embodiment is characterized in that in a game controlling method in which the input direction with respect to the direction of line of sight is set as the moving direction of the player character, the player character is controlled so as to move in a specific direction regardless of the change of the input direction with respect to the direction of line of sight when the player character stays within a specific area." Col. 8, lines 38-56 of Iizuka et al., (Emphasis added)

Thus, Iizuka et al. state the problem of a user input being unreliable in specific areas and address this problem by essentially using a predetermined movement direction script for the player character ("specific direction") whenever the player character is within one these specific areas ("path information" in Fig. 13 of Iizuka et al.)—i.e., disregarding ("regardless of") user input.

Correspondingly, col. 10, lines 29-36 of Iizuka et al. cited by the Examiner only includes description of the advantage of fixing a player character movement direction by ignoring changes in user input:

"As described above, the present embodiment allows the direction in which the player character is to move to be fixed even if the input direction with respect to the direction of line of sight changes within the specific area when the moving direction of the player character is decided by the input direction with respect to the direction of line of sight."
(Emphasis added)

In view of the foregoing, Iizuka et al. consistently describe fixing a "specific" movement direction of a player character when it is within a specific area regardless of any changes in user input. And thus, Iizuka et al. actually teaches away from the claimed direction maintenance features that are performed "so long as said operation instruction is maintained," and those triggered "when the operation instruction is changed to another operation instruction." Iizuka et al. also fail to disclose or suggest any feature of maintaining a direction that is related to a first viewing perspective before a viewing perspective switch because the cited reference only consistently describes fixing a specific direction that is internally generated and that bears no apparent relation to any previous direction. Please see, for example, Figs. 12A-12C and their corresponding description in Iizuka et al.

Thus, Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness in failing to provide any teaching, motivation, or suggestion from the cited references, or any objective reason otherwise, to directly contradict the explicit

disclosure in Iizuka et al. of disregarding a change in input direction to meet the claimed features that are triggered "when the operation instruction is changed to another operation instruction." The Examiner clearly used the claimed invention as a blueprint to piece together disparate and inconsistent features from the cited references based solely upon improper hindsight.

And even assuming, arguendo, that it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to combine Kawagoe et al. and Iizuka et al., such a combination would still have failed to disclose or suggest:

"[a] non-transitory recording medium comprising a recorded program and data to be used in a program execution system including a program execution device that executes various programs, at least one operation device into which are inputted operation requests by a user as operation instructions to said program execution device, wherein
said recorded program has a direction maintenance step by which if, along with a motion of any character on a display device, based on an operation instruction about a character motion direction, a switching is made from a first fixed viewing perspective to a second fixed viewing perspective on said display device and so long as said operation instruction is maintained, the direction of motion of said character in said second fixed viewing perspective is maintained in coordination with the direction of motion of the character on a map in said first fixed viewing perspective at least as determined immediately before the switching is made, and
only thereafter, when the operation instruction is changed to another operation instruction, after the switching of the viewing perspective, a direction of motion of the character is calculated based on the second fixed viewing perspective, and its position then determined based on a position of the character and a motion direction from the operation instruction." (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claims 2, 14-15, and 19 dependent therefrom, is patentable over Kawagoe et al. and Iizuka et al., separately and in combination, for at least the above-stated reasons. Claims 3, 6, 8-11, 13, and 20 incorporate features that correspond to those of claim 1 discussed above, and are,

therefore, together with claims 7, 12, and 17-18 dependent therefrom, respectively, patentable over the cited references for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter T. Chang/

Dexter T. Chang

Reg. No. 44,071

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

Docket No.: SCED 18.553 (100809-16264)

DTC:fd